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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 CURTIS MCGOWN,
14 Defendant.

Case No. 2:19-cr-00028-APG-GWF
**STIPULATION TO CONTINUE
REVOCATION HEARING**
(Seventh Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public
19 Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for
20 Curtis McGown, that the Revocation Hearing currently scheduled on July 1, 2021 at 1:30 p.m.,
21 be vacated and continued to April 1, 2022.

22 This Stipulation is entered into for the following reasons:

23 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to
24 revoke his supervised release and was released on his own recognizance pending the supervised
25 release revocation hearing, which is currently scheduled for July 1, 2021 at 10:00 a.m.
26

1 2. The defendant, Mr. McGown has not resolved his state court case in connection
2 with the alleged new law violation. The state case was scheduled for trial on April 7, 2021,
3 however, the date was vacated and reset to March 2022. Because the pending state case is
4 related to the underlying petition, the parties request a continuance to allow the state
5 proceedings to resolve prior to the revocation hearing.

6 3. The defendant is not in custody and agrees with the need for the continuance.

7 4. The parties agree to the continuance.

8 5. The additional time requested herein is not sought for purposes of delay, but
9 merely to allow the parties sufficient time within which to adequately prepare for the revocation
10 hearing. Additionally, denial of this request for continuance could result in a miscarriage of
11 justice, and the ends of justice served by granting this request, outweigh the best interest of the
12 public and the defendant in a speedy hearing.

13 This is the seventh request for a continuance of the revocation hearing.

14 DATED this 14th day of June 2021.

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16 RENE L. VALLADARES
17 Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

18 /s/ Nisha Brooks-Whittington
19 By _____

/s/ Kimberly M. Frayn
By _____

20 NISHA BROOKS-WHITTINGTON
21 Assistant Federal Public Defender

KIMBERLY M. FRAYN
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 CURTIS MCGOWN,

7 Defendant.

Case No. 2:19-cr-00028-APG-GWF

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

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10 **FINDING OF FACT**

11 Base on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to
14 revoke his supervised release and was released on his own recognizance pending the supervised
15 release revocation hearing, which is currently scheduled for July 1, 2021 at 9:30 a.m.

16 2. The defendant, Mr. McGown has not resolved his state court case in connection
17 with the alleged new law violation. The state case was scheduled for trial on April 7, 2021,
18 however, the date was vacated and reset to March 2022. Because the pending state case is
19 related to the underlying petition, the parties request a continuance to allow the state
20 proceedings to resolve prior to the revocation hearing.

21 3. The defendant is not in custody and agrees with the need for the continuance.

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24 merely to allow the parties sufficient time within which to adequately prepare for the revocation
25 hearing. Additionally, denial of this request for continuance could result in a miscarriage of
26

1 justice, and the ends of justice served by granting this request, outweigh the best interest of the
2 public and the defendant in a speedy hearing.

3 **ORDER**

4 THEREFORE, IT IS ORDERED that the revocation hearing currently scheduled
5 for Thursday, July 1, 2021 at 10:00 a.m., be vacated and continued to April 7, 2022 at the
6 hour of 9:00 a.m. in courtroom 6C.

7 DATED this 14th day of June 2021.

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10 UNITED STATES DISTRICT JUDGE
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